

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

JEWEL GRIFFIN,

Plaintiff,

v.

CINDY THERWANGER,

Defendant.

No. 5:23-CV-017-H-BQ

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

On April 20, 2023, United States Magistrate Judge D. Gordon Bryant made Findings, Conclusions, and a Recommendation (FCR) in this case. Dkt. No. 9. Judge Bryant recommended that the Court deny Griffin's motion to proceed IFP (Dkt. No. 4) and dismiss this action without prejudice in accordance with Federal Rule of Civil Procedure 41(b) or, alternatively, for lack of subject matter jurisdiction. *Id.* at 10. Judge Bryant also recommended that the Court deny as moot Griffin's motion for appointment of counsel (Dkt. No. 8). *Id.* No objections to the FCR were filed.

Where no specific objections are filed within the 14-day period, the Court reviews the Magistrate Judge's findings, conclusions, and recommendation only for plain error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1417 (5th Cir. 1996), superseded by statute on other grounds, 28 U.S.C. § 636(b)(1); *Serrano v. Customs & Border Patrol, U.S. Customs & Border Prot.*, 975 F.3d 488, 502 (5th Cir. 2020). The Court has reviewed the FCR for plain error. Finding none, the Court accepts the FCR of the Magistrate Judge. Accordingly, the Court denies Griffin's motion to proceed IFP (Dkt. No. 4) and motion for appointment of counsel (Dkt. No. 8), and it dismisses this action without prejudice.

So ordered on May 5, 2023.



JAMES WESLEY HENDRIX
UNITED STATES DISTRICT JUDGE